NOT FOR PRINTED PUBLICATION

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

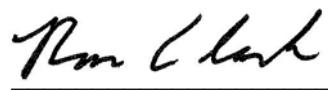|		
UNITED STATES OF AMERICA	§	
	§	
	§	**CASE NUMBER 9:20-CR-00039-RC**
v.	§	
	§	
	§	
MARCUS BERNARD TUTT	§	
	§	

ORDER ACCEPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S GUILTY PLEA

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Zack Hawthorn conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge. The magistrate judge recommended that the court accept the Defendant's guilty plea. He further recommended that the court adjudge the Defendant guilty on Count One of the Indictment filed against the Defendant.

The parties have not objected to the magistrate judge's findings. The court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge are **ACCEPTED**. The court accepts the Defendant's plea but defers acceptance of the plea agreement until after review of the presentence report. The court **ORDERS** the Defendant's attorney to read and discuss the presentence report with the Defendant, and file any objections to the report **BEFORE** the date of the sentencing hearing.

It is further **ORDERED** that, in accordance with the Defendant's guilty plea and the magistrate judge's findings and recommendation, the Defendant, Marcus Bernard Tutt, is adjudged guilty as to Counts One and Three of the Indictment charging violations of 21 U.S.C. § 841(a)(1) - Possession with the Intent to Distribute or Dispense Methamphetamine and 18 U.S.C. § 924(c)(l) - Carry and Use of a Firearm During and in Relation to a Drug Trafficking Crime.

So ORDERED and SIGNED, Mar 03, 2021.

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Ron Clark
Senior Judge